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INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR
THE ELABORATION OF AN INTERNATIONAL CONVENTION
TO COMBAT DESERTIFICATION IN THOSE COUNTRIES
EXPERIENCING SERIOUS DROUGHT AND/OR
DESERTIFICATION, PARTICULARLY IN AFRICA
Tenth session
New York, 6-17 January 1997
Agenda item 5

PROGRAMME AND BUDGET

Note by the Secretariat

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I. INTRODUCTION

1. The INCD considered this item at its seventh and eighth session on the basis of documents A/AC.241/36 and A/AC.241/46. In its decision 8/3, adopted at its eighth session, the Committee requested the interim secretariat to "submit for consideration at the last session of the Committee prior to the first session of the Conference of the Parties a draft programme of work of the Conference of the Parties and the budget estimates of the Convention for the first financial period following the first session of the Conference of the Parties, using as a basis document A/AC.241/46 and taking into account the views on this question expressed by delegations at the eighth session of the Committee, as well as consideration by the Committee of financial rules and of the designation of a Permanent Secretariat and arrangements for its financing."

2. In the meantime, the Second Committee of the General Assembly has on 3 December 1996 adopted a draft resolution, which at the time of submission of this report had not yet been considered by Plenary, which would request the Secretary-General, subject to the decision of the Conference of the Parties at its first session, to consider:

(a) authorizing the secretariat established pursuant to General Assembly resolution 47/188 to act as secretariat for the transition period following the first session of the Conference of the Parties until the permanent secretariat designated by the Conference of the Parties begins operating, which should not be later than 31 December 1998; and

(b) maintaining the arrangements within the current programme budget for the interim secretariat to support the Convention beyond the first session of the Conference of the Parties until the Permanent Secretariat designated by the Conference of the Parties begins operating, which should not be later than 31 December 1998, and maintaining the arrangements relating to extrabudgetary funds.

3. In the light of the texts quoted above, this document contains preliminary proposals regarding the programme of work for the biennium 1998/1999 of the Conference of the Parties (COP), its subsidiary bodies, and the Permanent Secretariat; the related organization and staffing of the Permanent Secretariat and ensuing activities. As regards 1998, it is assumed that current arrangements would continue, deriving from the General Assembly resolution referred to in paragraph 2 above, whereby the interim secretariat would continue to be financed from the regular programme of the United Nations,supplemented by voluntary contributions. Thus, any build-up in 1998 towards the level of activity, and of staffing, envisaged in this document for 1999 would need to be financed from the Trust Fund established pursuant to resolution 47/188 of the General Assembly.

4. The main purpose of this document is to generate further guidance from the INCD to help shape the secretariat's final budget proposals to be submitted first to a further session of the INCD, if it takes place, or directly to the first COP. Projections are necessarily preliminary at this stage because they are being prepared far in advance of the period they cover. This means that, particularly with regard to 1999, a number of important questions, related both to expenditure and to possible sources of income, cannot yet be answered.

5. It is assumed that the question of the relocation of the secretariat, and of the ensuing cost differentials, will be taken up by the first COP at its first session as an item separate from the consideration of the programme of work.

II. MAIN ISSUES

6. Under article 22 of the Convention, the COP shall approve a programme and budget for its activities, including those of its subsidiary bodies, and undertake the necessary arrangements for their financing. Under article 23, the first COP

shall designate a Permanent Secretariat and make arrangements for its functioning. The functions of the Permanent Secretariat are set out also in article 23; a role for the Secretariat is furthermore assigned in the Regional Implementation Annexes for Africa (article 18.4), Asia (article 8.3) and Latin America and the Caribbean (article 7.2). A main issue, therefore, is to translate these provisions into a programme of work for the biennium immediately following the first COP, that is for 1998/1999.

7. Once that is done, a second important issue is to identify the possible sources of finance for the implementation of that programme of work. At present, the programme of work related to the Convention, including the activities of the interim secretariat, is funded in part by the regular budget of the United Nations, and in part from voluntary contributions. As is clear from paragraphs 2-3 above, these arrangements would continue throughout 1998. The presentation in this document assumes that, as from 1 January 1999, the COP and the Permanent Secretariat will be financed in part by a "core" budget, set at a fairly predictable level and which would cover essential long-term operations, and in part by other contributions provided as special-purpose funds, namely a Supplementary Fund and a Special Fund as defined respectively in rules 9 and 10 of the draft financial rules.

III. THE TRANSITION FROM THE INTERIM TO THE PERMANENT SECRETARIAT: REQUIREMENTS IN 1998

8. The main function of the interim secretariat has been to support the intergovernmental negotiating process. While this function will continue, the coming into force of the Convention will require the secretariat to provide a stronger substantive support to the Convention process. Thus, the Permanent Secretariat will be called upon to support the emerging work programme of the Committee on Science and Technology (CST). This will include provision of necessary support to the preparation and maintenance of a roster of experts; it will also require substantive support to such ad hoc panels as may be established. The Permanent Secretariat will also need to maintain a linkage with the Organization housing the global mechanism.

9. As required by article 23.2(c) of the Convention, the Permanent Secretariat will need to assist developing Parties, on request, particularly those in Africa, in the preparation of their national communications. On receipt of those communications, a careful process of analysis and synthesis will be required in order to facilitate their consideration by the COP. It is also reasonable to assume that the Permanent Secretariat increasingly will be called upon to facilitate coordination processes as set out in the relevant regional implementation annexes, by providing relevant information; by facilitating the convening of consultative and coordination processes; and by encouraging the active involvement of relevant bilateral and multilateral agencies concerning coordination meetings aimed at securing agreements on opportunities for international cooperation.

10. On the administrative side, efforts will be required to develop appropriate financial and personnel procedures adapted to the rules, regulations and delegations of authority of the Organization which may be selected to provide overall administrative support to the Permanent Secretariat. There will also be a need to formulate and negotiate an agreement, within the United Nations framework, with the Party which in due course will be identified as host to the Convention Secretariat. The relevant experience of the secretariat of the Framework Convention on Climate Change appears to indicate that these issues will require considerable work over an extended period of time.

11. This interim period, therefore, will require a considerable process of adaptation. This has been recognized by the General Assembly in assuming that the first full year after the first Conference of the Parties, 1988, will be a period

of transition, and that the Permanent Secretariat designated by the COP should begin operating no later than 31 December 1998 (see paragraph 2 above).

12. In these circumstances, the secretariat would envisage 1998 as a year during which the build-up would continue towards the structure and staffing table proposed later in this document for 1999. The extent of that build-up would necessarily depend on the level of resources in the existing Trust Fund. It should be recalled in this regard that, as shown in Appendix F to document A/AC.241/69, there are at present 24 staff members in the interim secretariat, paid from all sources of funds; in document A/AC.249/69/Add.1 it has been suggested that a further three positions would need to be financed in 1997. It would seem appropriate, therefore, to place the 1998 staffing target at some point between this level and that proposed below for 1999.

13. Requirements in 1998, not covered by the regular United Nations budget and therefore possibly needing Trust Fund financing, may also arise under the following three headings:

(a) Financing would be required to operate any ad hoc panels established by the COP pursuant to the recommendations of the CST. Related estimates would depend on the number of such panels, their membership and their geographical composition.

(b) Requirements related to the work of the Global Mechanism could arise to the extent that they are not covered by the host organization still to be identified.

(c) The relocation from Geneva to the country hosting the Convention and its Secretariat will result in expenditure in terms of removal and purchase of office furniture, equipment and supplies, and of travel, removal and installation costs of Secretariat staff. It is possible, of course, that part or all of these costs will be met from host Government contributions, either general in nature or specifically earmarked for this purpose.

IV. THE PROGRAMME FOR THE CONVENTION, AND RELATED REQUIREMENTS IN 1999

A. The core budget

Policy making Organs

The Conference of the Parties

14. Following the outline in Part II of document A/AC.241/46, the second and third sessions of the COP would consider all the standing items listed in paragraph 6 of that document. Review of implementation of the Convention would presumably be taken up at the second session on the basis of oral statements. The second session would also approve revised budget estimates for 1999 taking account of the decision of the first COP on the location of the Permanent Secretariat. At the third session there would be a review of implementation of the Convention in Africa, based on communications from Parties, in accordance with the procedures recommended to the COP by the INCD in INCD decision 9/9. In addition, the third session would not only receive a report from the Global Mechanism but review its policies, operational modalities and activities, in accordance with article 21, paragraph 7, of the Convention.

15. With regard to selected agenda items, it might be appropriate for the second, and, if necessary, the third session of the COP to consider the items in subparagraphs (d), (e), and(f) of paragraph 7 of document A/AC.241/46, that is strengthening of relationships with other conventions, procedures and mechanisms for resolution of implementation questions and adoption of an annex to the Convention on arbitration procedures.

Subsidiary bodies

16. Under article 24 of the Convention, the Committee on Science and Technology shall meet "in conjunction with the ordinary sessions of the Conference of the Parties." In document A/AC.241/66, the secretariat has submitted to the INCD a draft programme of work for the Committee featuring, on the one hand, a phased approach and, on the other, the establishment of priorities. The draft programme of work also suggests that the Committee consider the possibility of establishing three ad hoc panels, respectively in the fields of benchmarks and indicators; of establishing inventories of traditional and local technology, knowledge, know-how and practices; and of establishing research priorities.

17. As regards the Global Mechanism, article 21 provides that it shall report to the Conference of the Parties beginning at its second ordinary session. However, as indicated in paragraph 14 above, a full review of the mechanism is scheduled only at the COP's third session. Pending further consideration of the identification of an organization to house the Global Mechanism (see INCD decision 9/4), it is too early at this stage to speculate on the precise work programme which may emerge under this heading.

Budgetary requirements

18. In the light of paragraphs 14 to 17 above, estimates could be predicated on the assumption that the COP and its subsidiary bodies would meet for a total of two consecutive weeks in each of the calendar years 1998 and 1999. The allocation of meetings, in each of those periods, between the COP and the CST would need to be decided at a later stage, in the light of the developing programme of work of each organ. Provision therefore would need to be made for a total of two weeks of meetings services for each of the years 1998 and 1999, allowing for two simultaneous meetings at any time during those two weeks, and for the translation, processing and distribution of an estimated 400 pages of documentation each year. The General Assembly is to consider, at its fifty-second session, the inclusion of the 1998 programme of meetings of the COP and its subsidiary bodies within the regular programme of meetings of the United Nations. It is consequently assumed that budgetary requirements for 1998 will be met by the United Nations regular budget.

The Permanent Secretariat: staffing and other estimates

Proposed organizational structure

19. Paragraphs 8 and 9 above summarize the functions of the Permanent Secretariat as set out in the Convention, including the regional implementation annexes. In addition, the Permanent Secretariat will be called upon to provide necessary support in respect of the functions entrusted to the COP under article 22, paragraph 2 of the Convention, particularly as regards the review of the implementation of the Convention; the promotion of the exchange of information; the periodic review and approval of the programme and budget; the cooperation with competent bodies or agencies, and the promotion of the relationship with other relevant Conventions. The work programme of the Permanent Secretariat will thus be closely tied into, and conditioned by, the programme of work of the COP and of its subsidiary bodies referred to in paragraphs 14 to 17 above.

20. In the light of the above, and of experience gathered over the interim period, the Permanent Secretariat could be organized into the following clusters of activities (numbered references are to articles of the Convention):

(a) Executive direction and management;
(b) Substantive support to the COP and its subsidiary bodies (art. 21; art. 23.2 (a));

(c) Provision for information, review of implementation, and facilitation of the consultative and coordination process (art. 23.2(b) and (c); art. 26.1, 26.6 and 26.7; art. 22.2(a) and (b), and relevant provisions for regional implementation annexes);
(d) External relations (art. 23.2(d); art. 22.2(h) and (i));
(e) Administration and systems support (art. 23.2(e), art. 22.2 (g)).

21. In order to facilitate the review and monitoring by the COP of the work programme and budget, and also in the interest of internal management and control, the five clusters identified above should correspond to the "main appropriation lines" in the context of rule 6 of the draft financial rules. Thus, as compared to the suggestions made earlier in document A/AC.241/46, paragraph 11, implementation "review" and implementation "facilitation" would be grouped into one cluster, on the basis that review and facilitation are mutually supportive aspects of the same programme, and that placing both activities in the same organizational unit will permit increased flexibility in work assignments. Furthermore, support to the COP and the CST and liaison with the Global Mechanism also would be grouped together, in order to provide some flexibility in assignments among the small number of staff involved. Documents preparation would be a major activity of the resulting unit, and it would include a lawyer to advise on legal matters, which will result from the variety of national and international instruments with which the Secretariat will be called upon to cooperate, and from the need to prepare and administer a headquarters agreement with the Government of the country hosting the Secretariat. Finally, external relations functions, principally comprising public information, relations with non-governmental organizations and coordination with other relevant secretariats, would constitute a separate cluster.

Executive direction and management

22. The Head of the Permanent Secretariat will provide overall direction and coordination to the Permanent Secretariat, and advice to the COP and its subsidiary bodies. He/she will be accountable directly to the COP for the implementation of its policies and programme of work and for the use of monies contributed by the Parties. The head would be assisted by a Deputy at the D-2 level, and the office would comprise, in addition, a Special Assistant at the P-4 level and 2 General Service posts. It is envisaged that, over the biennium, the need for legal advice will be met, as described in paragraph 25 below, on a part-time basis by an officer in one of the support clusters.

Substantive support to the COP and its subsidiary bodies

23. This unit would: (a) provide support to the work programme and sessions of the Committee on Science and Technology, including its ad hoc panels, (b) represent the Secretariat vis-à-vis, and interact with, the organization hosting the Global Mechanism, (c) more generally, provide support to the Conference of the Parties in respect of the latter's functions under article 21 of the Convention, and (d) be responsible for document preparation, and documents control, for the Permanent Secretariat as a whole . Obviously, the unit should provide a strong component of scientific expertise. It is also envisaged that, at least during the biennium, the unit would provide such legal advice as may be required to the Head of the Permanent Secretariat.

24. It is proposed that the unit be headed by an officer at the D-1 level and comprise three other Professional posts (two P-5, one P-4) and one General Service post. Two Professional and the General Service post would provide support to the Committee on Science and Technology, and also such legal advice as may be required, while the remaining Professional post would work on the global mechanism and in support of Conference activities under article 21.

25. As regards 1999, related requirements will also have to include provision for meetings of ad hoc panels since, under paragraph 7 of its terms of reference, the CST is required to include estimates of the financial implications of its work

programme. Those estimates would include the cost of ad hoc panels, and would need to be considered by the COP on the basis of specific submissions by the CST. As indicated in paragraph 13 above, requirements under this heading may also arise in 1998, and would need to be met within existing (regular budget or Trust Fund) resources.

Provision of information, review of implementation, and facilitation of the consultative and coordination processes

26. On the basis of articles 23, paragraph 2(c), and 26, paragraph 7 of the Convention, and as called for by INCD decision 9/9, this unit would

(a) receive and compile the summaries of reports provided by the Parties under article 26 on measures taken for the implementation of the Convention;

(b) prepare,on the basis of the above, syntheses of the reports, setting out the trends emerging in the implementation of the Convention; and, starting with the third session of the Conference, prepare a report summarizing the conclusions of the review process;

(c) facilitate assistance, on request, to affected developing countries, particularly affected African country Parties, in compiling and communicating information, and in identifying technical and financial needs associated with action programmes;

(d) facilitate, as provided in the relevant regional implementation annexes, the convocation of consultative processes at the national, subregional and regional levels; and

(e) develop and maintain data bases of focal points related to the above activities.

27. In the light of the pattern of regional implementation ensconced in the Convention, it is proposed that the unit be headed by an officer at the D-1 level, assisted by a General Service staff member, and have four regional components, respectively for Africa (P-5, P-4, P-3, P-2, 2 GS), Asia (P-5, P-3, P-2, 2 GS), Latin America and the Caribbean (P-5, P-3) and the Northern Mediterranean (P-4). The latter two regional sub-units would share another General Service post. Thus, total staffing requirements for the unit would comprise 1 D-1, 3 P-5, 2 P-4, 3 P-3, 2 P-2 and 6 General Service posts, or a total of 17. However, it is proposed that the filling of these posts be phased over the biennium; and that a total of only ten posts be encumbered in 1999 (1 D-1, 3 P-5, 2 P-4, 1 P-3 and 3 General Service posts) while the remaining seven posts would be filled in the next biennium.

External relations

28. This unit would assist the Head of the Permanent Secretariat in ensuring necessary coordination with the secretariats of other relevant bodies, including in particular the Food and Agriculture Organization of the United Nations (FAO), International Fund for Agricultural Development (IFAD), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Meteorological Organization (WMO), United Nations Development Programme (UNDP), United Nations Environment Programme (UNEP) and the Conventions on Biodiversity and on Climate Change. It would also assist Parties, on request, as well as non-governmental organizations, in promoting public awareness of the basis and objectives of the Convention. To this end, the unit within its resources, including those provided by the Supplementary Fund, would prepare and disseminate, to governmental and non-governmental institutions, relevant public information material. Of particular importance would be the unit's relations with, and support to, the activities of non-governmental organizations, especially in the field of implementation and public awareness. It is also proposed that the unit establish

and maintain a multi-media reference library to contain major relevant official documents and publications relating to desertification and sustainable development. This unit would comprise 4 posts (P-4, P-3, P-2 and 1 GS).

Administrative and systems support

29. It is expected that the organization embodying the institutional linkage will provide general administrative support to the Permanent Secretariat. Nevertheless, the Permanent Secretariat will still need to:

(a) prepare and submit biennial programme budget proposals for review and approval by the COP;

(b) administer and control the budget, once approved, and provide periodic reports thereon to the COP, as well as prepare regular internal reports for management and control purposes to the Head of the Permanent Secretariat and unit heads;

(c) administer, control and report on extrabudgetary funds and programmes;

(d) initiate recruitment action of staff, including temporary staff and consultants;

(e) manage and update systems, and provide systems support, in a highly computer-oriented secretariat;

(f) estimate meetings servicing requirements and ensure provision of those services, in liaison with the host organization to be determined;

(g) manage the travel programme; and

(h) initiate procurement action, and provide control, in respect of requirements for furniture, equipment, communications and other operating requirements.

30. It is envisaged that these functions would be undertaken by a unit headed by a P-5 and comprising, in addition, 2 P-4, 1 P-3, and 6 General Service posts.

Staffing Summary

31. The requirements set out in paragraphs 20 to 30 above provide for an estimated total, for 1999, of 34 posts (1 Head, 1 D-2, 2 D-1, 6 P-5, 7 P-4, 3 P-3, 1 P-2 and 13 General Service). Seven additional posts (2 P-3, 2 P-2 and 3 General Service) would be filled at a later date.

The Permanent Secretariat: core requirements other than staffing

32. For the purpose of this outline, the estimated core requirements, other than staffing, are presented for the Permanent Secretariat as a whole. It is envisaged, however, that the final budget presentation to the COP will apportion these estimates among the main appropriation lines proposed.

33. In addition to staffing, provision for 1999 will need to be made under the following headings:

Overtime and temporary assistance for meetings

This is required in respect of temporary secretarial and clerical assistance during meetings of the COP and its subsidiary bodies and for overtime during those meetings.

General temporary assistance

This is proposed to cover approximately 15 work/months during workload peaks, generally preceding the meetings of the COP and its subsidiary bodies.

Consultants

This would be required for review of scientific and technical material on specific aspects of the programme of work, and also to assist in the review of implementation. It would cover approximately 18 work/months of consultancies, including related travel.

Travel

This covers travel of staff for consultative missions with Governments and nongovernmental organizations; for missions required for the preparation of substantive reports to the COP and its subsidiary bodies; for participation in activities of specialized agencies and non-governmental organizations on issues of desertification and drought, and for providing assistance to developing countries in the implementation of the programme of urgent action on Africa.

General operating expenses, supplies and materials

This would cover communications, operation of computer systems, office furniture and other equipment, miscellaneous supplies and services and insurance, including internal provision for possible claims in respect of service-incurred injury or death.

Other expenditure items arising in respect of the core budget

Reimbursement to the host organization for administrative expenditures

34. In response to questions regarding the offers made by the United Nations and UNEP to provide overall administrative support to the Permanent Secretariat, both organizations have indicated that they would expect to levy a charge for provision of administrative support. In the case of the United Nations, the level of overhead charges would be determined on the basis of actual costs incurred. For its part, UNEP would cover the costs of providing services with a standard 13 per cent support charge. It seems likely, therefore, that the core budget (as well as the related special purpose funds) will need to include provision for this item; however, a precise estimate can be included only after the host organization has been more clearly identified.

The Working Capital Reserve

35. Rule 8 of the draft financial rules provides that within the General Fund "there shall be maintained a working capital reserve at a level to be determined from time to time by the Conference of the Parties by consensus", and that "the purpose of the working capital reserve shall be to ensure continuity of operations in the event of a temporary shortfall of cash."

36. The Committee may wish to provide guidance on the level of the reserve which should be recommended to the COP for approval. In the case of the Climate Change Convention, the reserve was initially approved at the level of one month of estimated expenditure; this level will be reviewed at the end of 1997.

Possible offsets to the core budget

37. Requirements set out in paragraphs 14 to 33 above, which do not include the "overhead" charge nor the working capital reserve, would result in a total "core" expenditure in 1999. Offsets against this total may, however, arise as follows.

Contributions by the host Government

38. There will most likely be an offset in respect of special contributions by the host Government. The extent of such contributions will be known, however, only when the COP takes a decision on the physical location of the secretariat.

Allotments of overhead for administration

39. It might be possible - as has been the case with the Climate Change Convention - to negotiate, with the organization providing support services, for part of the charge in respect of reimbursement for administrative support (see paragraph 34 above) to be used to finance some posts in the administrative area of the Permanent Secretariat (referred to in paragraphs 29 and 30 above). It is however too early to provide an estimate for this eventuality.

B. Special purpose funds

The Supplementary Fund

40. It is envisaged that the Supplementary Fund would, in accordance with its proposed terms of reference, support the participation of representatives of non-governmental organizations in meetings of the COP and subsidiary bodies; facilitate assistance to affected developing countries in communicating information; and support other appropriate purposes consistent with the objectives of the Convention.

41. It is too early, at this stage, to formulate a detailed cost plan for activities which are to start over two years after this document has been readied. Nevertheless, it is not unreasonable to assume that the level of activity funded from this fund will not be markedly different from that shown for 1996, and suggested for 1997, respectively in documents A/AC.241/69 and Add.1, which are also before the Committee at its tenth session. It should also be noted that the existing Trust Fund has been and is being used as a vehicle for provision by Governments of staff to contribute to the activities of the interim secretariat. It would be expected that this support would continue, in 1998 and later years, within the scope of the Supplementary Fund.

The Special Fund

42. The Special Fund would continue to finance the travel of one representative of each affected developing country, and of one further representative for each affected least developing country, to sessions of the COP and its subsidiary bodies. Estimated expenditures for each of the years 1996 and 1997, to finance travel to INCD meetings, amount to approximately $1,100,000. However, the fact that only one meeting would be envisaged in 1999 (the back-to-back session of the COP and its subsidiary bodies) should result in lower requirements under this heading.